(3)

O.S. 1002

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR (C.G.)

WRIT PETITION NO. 3379 /2004

PETITIONER

Samay Lal, son of Shri Ghuruwa Ram, aged about 38 years, Panch, Ward No. 9, Gram Panchayat – Pushla, resident of Madhla, Block Sonhad, Distt. Koriya, C.G.

P.R. No. 3351/04
Presented by Shri Sushil Dubey
dated 17-9-04

VERSUS

RESPONDENTS

1. The State of Chhattisgarh, through : the Secretary, Department of Panchayat, Dau Kalyan Singh Bhawan, Raipur (C.G.)

2. Distt. Collector, Distt. ~~Durg~~ Koriya (Chhattisgarh)

3. The Sub Divisional Officer (Revenue), Baikunthpur, Distt. Koriya (C.G.)

661909

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF WRIT OR WRITS, ORDER OR ORDERS, DIRECTION OR DIRECTIONS UNDER THE FACTS AND CIRCUMSTANCES OF THE CASE.

XI-HC-22

(89)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P. 3379/2004 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	29.9.2004 Heard Shri Sushil Dubey, counsel for the petitioner, on the question of admission. Shri N.K. Agrawal, Deputy Advocate General for the State/ respondents. This petition pertains to delimitation of Panchayats under Sections 3 & 125 of the Chhattisgarh (Panchayat Raj Avam Gram Swaraj) Adhiniyam, 1993 read with Rule 3 of the Chhattisgarh Panchayat (Alteration of Limits, Disestablishment or Change of Headquarters) Rules, 1994. The main challenge in this writ petition is that headquarter of Panchayat Mandhla consisting of Villages: Mandhla, Kachhar & Angwahi has been changed and Village: Kachhar has been made headquarter of the Panchayat vide impugned notification dated 12.7.2004, whereas no such proposal was notified. In pursuance of the preliminary notification, a representation was made by 207 villagers (Annexure P-3) and thereafter, by final notification (Annexure P-1), headquarter of the Panchayat from Mandhla to Kachhar has been changed. In W.P.No.2117/2004 and other connected writ petitions, which are similar matters, vide order dated 27.9.2004 it has been held by this Court that the change of headquarter or splitting of Panchayat, amalgamation of village, and constituting a new Panchayat is a function	

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(40)

आदेश पत्रक

मामला क्रमांक W.P.3379/2004 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	legislative in character which cannot be challenged. Therefore, relying on the above decision, I am of the opinion that there is no merit in this petition. The petition is dismissed, at the admission stage itself. Consequently, M.(W.)P.No.2971/2004 and I.A.No.7187/2004 stand disposed of. **Sd/-** **L.C. Bhadoo** **Judge**	

Soma/Sunita